

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**McGinnes Industrial  
Maintenance Corporation,**

**Plaintiff,**

*versus*

**The Phoenix Insurance Company, *et al.*,**

**Defendants.**

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**Civil Action H-11-4000**

**Stipulated Dismissal and Order**

The parties stipulate as follows:

1. All claims asserted in this case are dismissed WITH PREJUDICE;
2. This dismissal has no effect on any claims that were not released under the terms of the Confidential Settlement and Release dated effective September 13, 2016 (the "Agreement"), all of which are preserved;
3. Each party will bear its own costs, fees, and expenses; and
4. Each party waives all rights of appeal.

So Stipulated:

PERDUE & KIDD

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ATTORNEY-IN-CHARGE FOR DEFENDANTS  
THE PHOENIX INSURANCE COMPANY and  
THE TRAVELERS INDEMNITY COMPANY

So Ordered:

\_\_\_\_\_  
Honorable Lynn N. Hughes  
United States District Judge

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